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Attorney for Defendant  
Multi-Phase Electrical Services, Inc.

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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ANTHONY C. COPPOLELLA, et. al.,	:	
Plaintiffs	:	CIVIL ACTION - LAW
vs.	:	JURY TRIAL DEMANDED
	:	
DIEGO I. AROCA, NYC STONE CORP. and,	:	(Honorable Malachy E. Mannion)
MULTI-PHASE ELECTRICAL SERVICES, INC.,	:	Electronically Filed
Defendants	:	
	:	Docket #: 3: 19 CV 0303

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**STIPULATION BETWEEN THE PLAINTIFFS AND THE DEFENDANT,  
MULTI-PHASE ELECTRICAL SERVICES, INC., REGARDING PUNITIVE DAMAGES**

AND NOW, this                      day of April, 2019, the undersigned parties, by and through their counsel, enter into this Stipulation in an effort to obviate the need for a Rule 12(b)(6) motion:

The allegations concerning "recklessness", "gross negligence" and "wanton conduct", as well as the demand for punitive damages as alleged against the Defendant, Multi-Phase Electrical Services, Inc., ONLY, are STRICKEN from the Complaint without prejudice. The Plaintiffs will retain the right to file a motion with the Court to re-allege the stricken allegations/demand if the Plaintiffs believe that the facts and circumstances revealed in future discovery support such allegations/demand. In such event, the Defendant, Multi-Phase Electrical Services, Inc., will have those defenses to such a motion and the allegations concerning/demand for punitive damages as if made at the outset of litigation, except that said Defendant agrees that it will not raise the statute of limitations or the untimeliness of the substance of such motion (though said Defendant does reserve the right to object to the timeliness of the filing of the motion).

Respectfully Submitted:

By: Harold J.J. DeWalt, Jr.  
Harold J.J. DeWalt, Jr., Esquire  
Counsel for the Plaintiffs

Respectfully Submitted:

By: Chris J. Carling  
Chris J. Carling, Esquire  
Counsel for the Defendant,  
Multi-Phase Electrical Services, Inc.

APPROVED BY THE COURT:

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The Honorable Malachy E. Mannion